

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Phillips)	ATTORNEY DOCKET:	04242350
)		
SERIAL NO.:	10/797374)	GROUP ART UNIT:	1615
)		
FILED:	March 10, 2004)	EXAMINER:	Unknown
)		
TITLE:	Novel Substituted Benzimidazole Dosage Forms and Method of Using Same			
DATE:	May 30, 2006		CUSTOMER NO.:	26565

Commissioner for Patents
PO BOX 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(b)

Applicant hereby submits copies of patents, publications and/or other information of which they are aware and which may be related to the examination of this application, and in respect of which there may be a duty to disclose under 37 CFR § 1.56 and §§ 1.97 - 1.987 as supplemented by MPEP § 609. A list of all enclosed documents is provided in a Form PTO-1449, transmitted herewith. Presentation of documents listed on enclosed Form PTO-1449 is not an admission that any listed document is prior art under the Patent Statutes and the right is reserved to antedate any material described in the listed documents by a showing under 37 C.F.R. § 1.131 or otherwise.

This information disclosure statement is being filed within three months of the filing date of the above-cited patent application or prior to the mailing of a first Office action on the merits, in accordance with 37 CFR § 1.97(b). Accordingly, Applicant respectfully requests that the statement be considered by the Office in the course of prosecution of the application. No fee is believed payable; however, if it is determined that a fee is payable, please charge Deposit Account No. 13-0019.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR §1.97(g)), an admission that the information cited is or is considered to be material to patentability, or that no other material information exists.

Respectfully submitted,

David B. Fournier
Registration No. 51,696
Tel. 312-701-8034

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	10/797374	
			Filing Date	March 10, 2004	
			First Named Inventor	Phillips	
			Art Unit	1615	
			Examiner Name	Unknown	
Sheet	1		1	Attorney Docket Number	04242350

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		4252790	02/24/81	Higuchi	
		5294439	03/15/94	Yamaska	
		5443826	08/22/95	Borody	
		5840737	11/24/98	Phillips	
		5877192	03/02/99	Lindberg et al.	
		2005/0370370	02/17/06	Warren	
		6749867	06/15/04	Robinson	

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YY	Name of Patentee or Applicant of Cited Document	Pages, Lines, Where Relevant Passages or Relevant Figures Appear	Columns, Where Relevant Passages or Relevant Figures Appear	T*
		Country Code ² -Number ⁴ -Kind Code ⁵ (if known)					
		CA2378018	01/18/01				
		CA2432184	07/11/02				
		EP 0480691	04/15/92				

NON PATENT LITERATURE		
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
		Antacid Bottle Instruction
		BORELLA, et al., Abstract for "Gastric Antisecretory and Anitular/Cytoprotective Effects of 2-cyano-3(ethylthio-3methylthio)-2-Propenoic Acid Methyl Ester", Wyeth-Ayerst Res., Inc. (1989)
		PHILLIPS, J. et al., "Flavored lansoprazole Suspension in Pediatric Gerd.", <u>Journal of Pediatric Gastroenterology and Nutrition</u> , Vol. 31, Supp. 2 (December 2000)
		PHILLIPS, J. et al., Abstract of "A Randomized, Cross-over Study of Duodenal or Jejunal Compared to Nasogastric Administration of Omeprazole Suspension in Critically Ill Patients", <u>Pharmacotherapy, The Journal of Human Pharmacology and Drug Therapy</u> , pp. 1237 (October 6, 2000)
		PHILLIPS, J. et al., "Use of Flavored Lansoprazole or Omeprazole Suspensions in Pediatric Gerd.", Supplement to <u>Gastroenterology</u> , Vol. 18 (April 2000)
		Trilateral Project B3b, "Reach Trought Claims", pp. 1-28 (2001)

CHDB01 1340834.1 25-May-06 16:09	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
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